

WARD - 09/427,149
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REMARKS

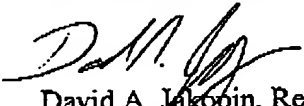
The Examiner indicates that Claims 9-10, 14, 26-29, 40, 49-50, 54, 77, 79-80, 82 and 94 contain allowable subject matter. In an effort to expedite issuance of those claims that have been allowed, applicant has amended the above referenced claims, placing them in independent form. With the amendments herein, all of the claims are in a condition for allowance. Applicant notes that new independent claim 96 includes the allowable subject matter from claim 78, and those limitations relating to that subject matter, in an independent claim that adds to the now canceled independent claim 1, and submits this claim is allowable for the reasons that the Examiner indicated claim 78 was allowable in the first instance.

Applicant expressly reserves the right to continue prosecution of the claims currently rejected, and will do so in a continuation application, as applicant maintains that those claims presently rejected claims also contain allowable subject matter.

All objections and rejections having been addressed, and in view of the foregoing, the claims are believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he or she is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP


David A. Jakopin, Reg. No. 32995
Tel. No. 650-233-4790

2475 Hanover Street
Palo Alto, CA 94304-1114

CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office. (571) 273-8300.

Date: September 28, 2005


Signature

KATHLEEN M. SMITH

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.